

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

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|-------------------------|---|------------------------------------|
| ROBERT STRINGER, |) | |
| |) | Civil Action No. 13 – 221 |
| Petitioner, |) | |
| |) | District Judge Terrence F. McVerry |
| v. |) | Magistrate Judge Lisa Pupo Lenihan |
| |) | |
| LOUIS FOLINO and THE |) | |
| ATTORNEY GENERAL OF THE |) | |
| STATE OF PENNSYLVANIA, |) | |
| |) | |
| Respondents. |) | |

MEMORANDUM ORDER

Petitioner, Robert Stringer, filed a Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2254 on February 22, 2013, (ECF No. 4), and an Amended Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2254 on January 10, 2014, (ECF No. 12). This case was referred to United States Magistrate Judge Lisa Pupo Lenihan for review in accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1), and Local Rules of Court 72.C and 72.D

After Respondents filed an Answer to the Amended Petition on May 14, 2014 (ECF Nos. 30-36), the Magistrate Judge issued a Report and Recommendation on February 1, 2016, (ECF No. 50), recommending that the Amended Petition be denied and that a Certificate of Appealability also be denied. The Report and Recommendation was served on the parties and they were informed that the deadline to file written objections was February 18, 2016. Petitioner filed Objections on February 16, 2016. (ECF No. 51.)

After an independent review of the record, and consideration of the Magistrate Judge's Report and Recommendation, and Petitioner's Objections thereto, the following Order is entered:

AND NOW, this 3rd day of March, 2016.

IT IS HEREBY ORDERED that the Petition for Writ of Habeas Corpus (ECF No. 12) is **DENIED** and that a Certificate of Appealability is also **DENIED**.

IT IS FURTHER ORDERED that the Magistrate Judge's Report and Recommendation (ECF No. 50) is adopted as the Opinion of the Court.

IT IS FURTHER ORDERED that the Clerk of Court mark this case **CLOSED**.

AND IT IS FURTHER ORDERED that pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure, Petitioner has thirty (30) days to file a notice of appeal as provided by Rule 3 of the Federal Rules of Appellate Procedure.

By the Court:

s/Terrence F. McVerry
United States District Judge

cc: Robert Stringer
GJ1592
175 Progress Dr.
Waynesburg, Pa 15370

Counsel for Respondent
Via CM/ECF